



## MEMORANDUM ENDORSED

JAMES E. JOHNSON  
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September 15, 2020

### **VIA ECF**

Hon. Gregory H. Woods  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: *C.E. et al v. New York City Department of Education* 1:20-cv-00249-GHW

Dear Judge Woods:

I am an Assistant Corporation Counsel in the office of Corporation Counsel James E. Johnson, attorney for Defendant in the above-referenced action. I write on behalf of all parties to jointly request that the initial pretrial conference scheduled for September 22, 2020 at 2:00 p.m. be adjourned by 60 days to November 23, 2020 (or a date thereafter convenient for the Court). This is the first request for an adjournment of the initial pretrial conference.

Plaintiff seeks attorneys' fees, costs and expenses for legal work performed relating to an administrative hearing under the Individuals with Disabilities Education Act, 20 U.S.C. § 1400, *et seq.*, as well as for this action. Defendant disputes the reasonableness of the hourly rates charged and the time billed by Plaintiff's counsel.

The Complaint was served on January 17, 2020; Defendant filed its Answer on June 8, 2020. To date, Plaintiff has not provided complete billing records to Defendant but Plaintiff's counsel has agreed to provide them shortly. Thereafter, the parties will attempt to negotiate a settlement of this case. We are optimistic that a settlement can be reached based on our history of negotiating similar matters. The requested adjournment will give the parties additional time to try to resolve this matter.

Thank you for considering this submission.

Respectfully submitted,

/s/ Krista Friedrich

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Krista Friedrich  
Assistant Corporation Counsel

/S: Peter Albert /

Peter Albert  
Attorney for Plaintiff

Application granted. The initial pre-trial teleconference scheduled for September 22, 2020, is adjourned to November 23, 2020 at 3 p.m. The parties are directed to consult the Court's Emergency Rules in Light of COVID-19, which are available on the Court's website, for dial-in information and other instructions. The parties are specifically directed to comply with Emergency Rule 2(C).

SO ORDERED.

Dated: September 15, 2020  
New York, New York

  
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GREGORY H. WOODS  
United States District Judge